



Entered on Docket
September 16, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Second Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based Entirely Upon Investment In
The Fox Hills 216, LLC Loan**

Hearing Date: August 30, 2011
Hearing Time: 10:30 a.m..

The Court having considered the "Second Omnibus Objection Of USACM Trust To Proofs Of Claim Based Entirely Upon Investment in The Fox Hills 216, LLC Loan," ("Fox Hills Loan") [DE 8613] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the

1 Claims listed on **Exhibit A** does not affect the direct lenders' right to repayment by the
2 borrower or from the collateral securing the Fox Hills Loan; and good cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8613] is sustained; and
5 2. The claims listed on **Exhibit A** attached are disallowed in full because those
6 claims are based entirely upon an investment in the Fox Hills Loan.

7
8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**
10

11 By /s/ John Hinderaker (AZ #018024)

12 Robert M. Charles, Jr.

13 John Hinderaker (*pro hac vice*)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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**USACM Trust
Fox Hills 216, LLC
Single Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Foxhill 216, LLC Loan
10725-01466	11/14/2006	Handelman, Gloria W & Jim	2324 Caserta CT Henderson, NV 89074-5316	507,812.49	507,812.49
10725-02092	1/11/2007	Hess, Donald L	1818 Madero Dr The Villages, FL 32159 And 1800 Jefferson Park Ave. #86 Charlottesville, VA 22903	101,472.60	50,736.30
10725-00081	7/17/2006	Hoglund IRA, John A	740 North 78 th Street Seattle, WA 98103	51,058.96	51,058.96
10725-00419	10/3/2006	Humphrey, Todd	18665 Meadowlark CT Penn Valley, CA 95946	100,000.00	100,000.00
10725-02350	1/16/2007	Jack D La Flesch IRA	First Savings Bank Custodian 6559 Water Crossing Ave Las Vegas, NV 89131	100,564.04	50,282.02
10725-02110	1/11/2007	Janice Janis Living Trust DTD 2/3/99	C/O Janice Janis Trustee 406 Pearl St Boulder, CO 80302-4931	50,000.00	50,000.00
10725-00521	10/10/2006	Karren, Thomas	20483 Powder Mountain CT Bend, OR 97702	50,000.00	50,000.00
10725-00572	10/12/2006	Kline, Edward	9932 Arbuckle Dr Las Vegas, NV 89134	105,600.00	105,600.00
10725-01255	11/10/2006	Kwong, Wendy	1221 Jones St., Unit 9B San Francisco, CA 94109-4240	1,040.36	1,040.36
10725-01196	11/10/2006	L And R Saenz Family Trust	C/O Lionel Saenz And Rosario D Saenz Trustees 281 Andover Ridge CT Henderson, NV 89012-3128	50,000.00	50,000.00

EXHIBIT A

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